

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**JAMAL NICHOLAS NIX
ADC #151912**

PETITIONER

Case No. 5:14-cv-00173 KGB

**RAY HOBBS
Director, Arkansas Department of Correction**

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge H. David Young (Dkt. No. 5). No objections have been filed and the time to file objections has now passed. After careful consideration, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

It is therefore ordered that:

1. Petitioner's petition is dismissed without prejudice for failure to pay the filing fee, failure to comply with Local Rule 5.5(c)(2), and failure to respond to the Court's Order.
2. The Court certifies that an *in forma pauperis* appeal taken from the Order and Judgment dismissing this action is considered frivolous and not in good faith.

IT IS SO ORDERED this 14th day of July, 2014.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE